

AN ORDINANCE **97457**

AUTHORIZING PAYMENT TO TICOR TITLE COMPANY IN THE AMOUNT OF \$500,450.00 AS ESCROW AGENT FOR FEE SIMPLE PURCHASE OF A 83.717-ACRE TRACT OF LAND SITUATED BETWEEN THE WINDGATE RANCH AND HIGHWAY 211 IN NORTHWEST BEXAR COUNTY, TEXAS, UNDER THE AUSPICES OF THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT; ACCEPTING BY DONATION AT 6.987-ACRE TRACT OF LAND SITUATED IN MEDINA COUNTY; AUTHORIZING PAYMENT OF \$5,000.00 TO THE TRUST FOR PUBLIC LAND FOR ITS SERVICES IN NEGOTIATING, INVESTIGATING AND PURCHASING SAID PROPERTY; AUTHORIZING THE EXECUTION OF A REAL ESTATE PURCHASE CONTRACT TO ACCOMPLISH SAID PURCHASE.

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WHEREAS, under Proposition 3 of the election held on May 6, 2000, the voters of San Antonio approved an increase in the sales tax to fund the purchase of new parkland in the Edwards Aquifer zones as well as linear parks along Leon Creek and Salado Creek; and

WHEREAS, the ordinance authorizing that election also created the Conservation Advisory Board (CAB) and the Scientific Evaluation Team (SET) to advise the City Council on purchases of property under the program; and

WHEREAS, the SET created a GIS model composed of forty-three (43) different layers of information that take into consideration the hydrogeology, watersheds, and biology over northern Bexar County; and

WHEREAS, the CAB, using that model, has now identified a certain parcel of land for purchase and has voted on March 17, 2003 to recommend purchase of this parcel; and

WHEREAS, the Planning Commission reviewed this purchase on April 9, 2003 and recommended the purchase of this property; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The City Manager, or her designee, is hereby authorized to execute a Real Estate Purchase Contract, a copy of which is attached hereto as Attachment I, with Trust for Public Land for the purchase of a certain 83.717 acres of land more or less, located in Bexar County Texas, more particularly described in Exhibit "A-1" to the Real Estate

Purchase Contract for a purchase price of \$500,000.00.

Section 2. The City Manager, or her designee, is hereby authorized to execute any necessary documents to close said purchase.

Section 3. The City Manager, or her designee, is hereby authorized to accept on behalf of the City of San Antonio, and to execute any necessary documents to effectuate such acceptance, the 6.987 acres, more particularly described in Exhibit "A-2" to the Real Estate Purchase Contract attached hereto as Attachment I.

Section 4. The budget in fund 41-028095, Parks Development Expansion Commercial Paper Fund, shall be revised by reducing index code 684837, entitled Unallocated Appropriations, by the amount of \$505,450.00.

Section 5. The amount of \$500,450.00 is appropriated in Fund 41-028002, Parks Development Expansion Commercial Paper Fund, in Index Code 674978, entitled Land Acquisition, and is authorized to be encumbered and made payable to Ticor Title Company, in connection with the Proposition Three Edwards Land Acquisition and Park Expansion Project.

Section 6. The amount of \$5,000.00 is appropriated in Fund 41-028002, Parks Development Expansion Commercial Paper Fund, in Index Code 674978, entitled Land Acquisition, and is authorized to be encumbered and made payable to the Trust for Public Land, in connection with the Proposition Three Edwards Land Acquisition and Park Expansion Project.


Section 7. Budgeted Revenues are established in fund 41-028002, Parks Development Expansion Commercial Paper Fund, in index code 099838, entitled Land Donation-Schuchardt Tract, in the amount of \$41,642.52. The amount of \$41,642.52 is appropriated in fund 41-028002, Parks Development Expansion Commercial Paper Fund, in index code 804393, entitled Land, In-Kind, Schuchardt Tract.

Section 8. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

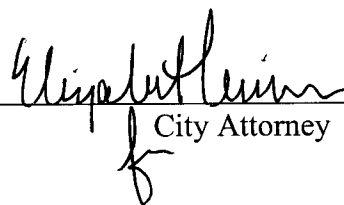
Section 9. Any payments authorized under this ordinance necessary to be paid through the closing process may be made payable to Ticor Title Company as escrow agent for the closing of this real estate purchase transaction.

Section 10. This ordinance will become effective on the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 10th day of April, 2003


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney